Across the country, numerous local school boards and state legislatures are considering harmful legislation that would further marginalize LGBTQ+ students; prohibit discussions of critical topics like racism, equity, and social-emotional learning; and in some cases, require school psychologists to share confidential information about students. This tool kit is intended to provide you with additional information and resources to help you respond to these proposals should they arrive in your community. For organizational purposes, some resources are categorized by primary topic; however, many resources are applicable to more than one policy area.

**SUMMARY OF ISSUES**

A detailed summary of the issues is available in this brief, which was prepared for and shared with NASP and state association leaders in the spring of 2022. Additional links containing up-to-date legislative information are included in the resource section of this toolkit.

**Efforts to Prohibit or Limit Critical Race Theory and Other “Divisive Concepts”**

Critical Race Theory (CRT) has become a catch-all phrase to inaccurately describe a host of concepts and topics some seek to eliminate from public schools. As detailed in this [NASP Resource](#), CRT is a legal framework used to examine how systemic racism contributes to inequities in existing structures (including education), policies, and laws in order to rebuild them equitably. CRT is primarily applied at the higher education and policy levels. CRT is not synonymous with social-emotional learning (SEL); equity, diversity, and inclusion (EDI) initiatives; culturally responsive teaching; or cultural responsiveness. CRT is not an attempt to view people only based on their race; it is not intended to make individuals feel shame based on their race, nor is it an implication that all White people are racist and all minoritized people are oppressed.

As of May 2022, approximately one third of our nation’s K–12 students attend schools with laws or policies restricting the discussion of race, racism, gender, or undefined “divisive concepts” that make students uncomfortable or violate a student’s deeply held religious belief. These policies raise the questions of whose perspectives and opinions are prioritized when determining what is considered divisive or a cause of discomfort, who should be protected from discomfort, and which religious beliefs must be respected. In addition, some states have proposed legislation that would prohibit SEL instruction in public schools, despite the preponderance of evidence that SEL improves academic achievement, reduces risky behaviors, and improves overall life outcomes. Other states and districts have engaged in efforts to ban books that address gender, race, sexuality, and other topics.

Consistent with NASP’s ethical standards, school psychologists must always seek to uphold and respect the cultural and religious beliefs of individual students. However, these policies could result in increased discrimination against LGBTQ+ students and the prioritization of certain religious beliefs in the context of classroom instruction. Although the idea may seem far-fetched, some legislation would allow parents to sue a teacher for discussing the theory of evolution in science class if it contradicted their personal belief in creationism.
In addition to efforts to restrict what can be taught, there are a number of proposed “curriculum transparency” policies that would require schools to publicly list all curricula, lesson plans, books, literature, class assignments, and planned field trips at the beginning of each year or require video cameras in classrooms so parents can observe discussions. Many teachers already provide curricular information to parents on weekly, monthly, or term basis, and skilled teachers note that lesson plans constantly change based on students’ progress through the curriculum. In essence, these bills are attempting to solve a problem that does not exist and could undermine a safe and supportive learning environment.

Not all efforts to restrict curricula are occurring in state legislatures; some decisions are being made via executive order of the Governor or actions taken by state or local school boards. Even in places where these restrictive policies are not in place, many teachers and administrators report that they are much more cautious about what they say in the classroom out of fear of disciplinary action or harassment from families. These actions are not restricted to K–12 settings. As detailed in this article from The Chronicle, some state legislatures are restricting mandatory instruction on equity, diversity, and inclusion for students and staff in public institutions of higher education. The specific impact on educator preparation and school psychology programs is unclear at this time. However, attempts to abolish discussion of these critical topics in higher education does a disservice to future school psychologists and the minoritized students they will one day serve.

LGBTQ+ Issues

LGBTQ+ youth are also under attack in many parts of the country. Several states have introduced, and in some cases passed, legislation that denies transgender youth access to gender-affirming medical treatment, prevents them from participating in sports teams consistent with their gender identity, restricts their participation to only activities that align with their biological sex at birth, and denies their access to sex-segregated spaces that include restrooms and locker rooms. It is NASP’s position that students be allowed to use facilities and participate in activities (including sports) that align with their gender identity. Other legislation is aimed at banning the inclusion of LGBTQ+ related content in school curricula, including policies that would prohibit teachers from using a student’s preferred name and pronouns, require educators to notify a parent if a student discloses that they may be questioning their sexuality or gender identity, and remove explicit references to LGBTQ+ persons from curricula, including comprehensive sexuality education. This is in direct conflict with NASP’s ethical standards and contrary to well-established research that supports inclusive curricula and policy (i.e., all students need to see their identities and experiences reflected in books and lessons, and antibullying programs must explicitly address anti-LGBTQ bias along with other bias-based bullying). The erasure of LGBTQ+ people from classroom discussions deprives all students of an inclusive and diverse education.

Parental Rights in Education

NASP has consistently acknowledged the important role that families play in their children’s education, and we have long advocated for and supported efforts to improve school–family collaboration. Successful school–family partnerships are built upon a foundation of trust and an understanding that educators and families are equal partners in ensuring student success. In many communities across the country, there has been an erosion of trust (real or perceived) that has coincided with efforts to elevate and prioritize the preferences or religious beliefs of individual families in education related decisions, including curricular decisions and which books should be available in the school library. With educators being called to restrict their content and classroom activities more specifically to each individual student’s
Advocacy Toolkit Promoting Equity, Diversity, and Social-Emotional Learning

religious beliefs, the separation of church and state in public services is threatened, and the needs and rights of students who are members of nondominant religious communities may be overlooked.

The combination of the public attention to the “parents’ rights” movement and increased efforts to promote censorship of classroom content is negatively affecting the climate and effectiveness of public educational systems. The negative impact is occurring regardless of the passing or legality of proposed legislation or policies. These proposals have essentially scared teachers into silence, and it is our students who suffer the most.

PLANNING YOUR ADVOCACY STRATEGY

As an individual school psychologist or a state association leader, it will be important to consider the unique political context of your community and state in developing a plan. In many cases, these censorship or discriminatory efforts are being led by small, but very vocal minority groups of parents and activists. In some cases, local school boards or state legislators are being barraged with messages from people who do not live in the district and who are not constituents. Many of these policies are being advertised as addressing the concerns of local parents, when in fact, this is not being driven by local concerns at all.

Guiding Questions to Help Plan the Most Effective Strategy

- Schools should be safe places where all children and youth can exist as their authentic selves. Consider:
  - Will the proposed policy support a safe, supportive learning environment? If so, for whom?
  - Will the proposed policy undermine a safe, supportive learning environment? If so, for whom?
  - How will the proposed policy align or conflict with existing initiatives to improve school safety and climate for all students?
- Some policy makers are willfully ignoring the perspectives of those who would be most directly impacted by their decisions. Consider:
  - Who will these policies impact most strongly? Are their voices and perspectives being centered in advocacy initiatives?
    - If yes, how can you support and amplify their message?
    - If no, how can you engage and empower them in your work?
  - What organizations are already working on this issue, and how can you work with them?
- Is there an active disinformation campaign related to a particular policy?
  - Who is the target audience?
  - Is it gaining traction?
  - Is there an opportunity or benefit to directly refuting the disinformation?
- Who is the driving force behind this policy?
  - Does it mirror legislation or policy introduced or passed in other states?
  - What lessons can you learn from their experiences to support your advocacy?
- If supporters of a particular policy claim it is necessary to address parental concerns, find out which parents’ perspectives are and are not being actively considered and addressed, and engage in intentional efforts to elevate their voices.
Advocacy Toolkit Promoting Equity, Diversity, and Social–Emotional Learning

- What underlying assumptions about parents’ views come up?
- Are educators who are also parents a part of this conversation?

- Will support and engagement from national organizations and coalitions help or harm your efforts?
- Are you in a state or community that highly values local control? If so, can you use proposed state mandated prohibitions on specific curricula to your advantage by emphasizing the restriction of local control?
- What is the economic impact to the community of a proposed policy? Are there businesses that are threatening to withhold new business or future events because of this policy, and can you highlight that in your efforts? Are there groups that advocate for individuals to reject job offers or relocation opportunities because of censorship policies or legislation?
- Consider if this is part of an intentional effort to undermine public schools. If so, consider elevating specific ways your school or local education agency is working to help all students succeed.

Potential Strategies

Your specific advocacy strategy should be guided by the questions above, considering the existing work taking place and the specific political context of your community. This is a particularly unique and primarily political, ideology-driven agenda. You may find that traditional advocacy strategies and efforts to correct misinformation with facts and data may not, on their own, be effective. The following are some strategies you may want to consider, both as part of a proactive advocacy strategy, and efforts to fight against harmful policy proposals.

- Share information about the role of school psychologists, school counselors, and school social workers and the benefits of comprehensive social–emotional learning and mental and behavioral health programs.
- In collaboration with other educators, highlight concrete and positive examples of equity, diversity, and inclusion efforts both in individual classrooms and within the school system.
- Approach this work with the belief that all parents want what is best for their children. Focus on shared goals and outcomes and less on the intentionally divisive narratives. Consider direct engagement and dialogue with those with whom you may disagree to work toward solutions that support, not harm, students. The IDEA Partnership’s Leading By Convening guides are a good start for framing these conversations.
- Engage the student voice in this work. How can you help elevate students’ voices and share their stories about the importance of equity, inclusive curricula, social–emotional learning, and more.

Tips for Coalition Building

As with any policy or advocacy goal, school psychologists should strive to build a diverse coalition of supporters with whom to work. However, it is equally important that individuals or state associations become knowledgeable about existing, and in some cases, longstanding efforts to advance equity. For some associations or individual members, these issues may feel too political or divisive. However, school psychologists have an obligation to speak up for our most marginalized and vulnerable students. These policies will cause real and irreparable harm to individual students, and they threaten to undermine our public education system as a whole—which is the point, in some instances.
It will be important for school psychologists and state associations to partner and lend your unique perspective to support existing efforts rather than overtake them. You are also encouraged to think outside the box when it comes to forming new relationships. While working with other educators and school mental health associations, consider widening your circle to include a more diverse group of organizations (possible ideas listed below).

- Consider how you can leverage existing relationships to address these issues. What partner organizations share similar beliefs about equity, inclusive curricula, and other topics?
- What coalitions already exist in this space? What can you do to actively and intentionally support existing efforts?
- Focus on areas of commonality. You do not need to fully align with every position of another organization to partner on this specific effort.
- Choose partners wisely. We all have limited financial and human resources. Consider which partnerships and which efforts will result in the highest benefit without overextending your capacity.
- Consider a diverse slate of potential partners. Some examples include:
  - Allied professional organizations (e.g., school counselors, school social workers, school nurses, other mental health professionals)
  - State psychological associations
  - State/local National Education Association and American Federation of Teachers affiliates
  - State/local affiliates of GLSEN, Human Rights Campaign (HRC), and other LGBTQ+ equality organizations
  - State/local affiliates of the NAACP, American Civil Liberties Union, Southern Poverty Law Center
  - State/local affiliates of pediatricians and other medical professionals
  - Student-led groups
  - Faith-based groups
  - Local advocacy organizations

**Key Messages**

Below are sample key messages to highlight. You will want to familiarize yourself with the messages being promoted by other organizations who are advocating against inclusive curricula and policy in your local community, so you are prepared to address and combat misinformation. It may also be important to consider the messenger. For instance, partnering with parents, members of the business community, or individuals with relevant personal stories to share and link to certain messages may be helpful.

- All students have the right to a safe and affirming educational environment. This includes the freedom to express identities, the availability of robust mental and behavioral health services and SEL programming, and access to a well-rounded, uncensored public education curriculum that includes positive representation of minoritized populations and inclusive sexuality education.
- Every student has the right to an education that is fair and inclusive.
- Efforts to restrict or censor curricula in K–12 schools undermine positive school climate and create hostile educational environments for minoritized students and staff.
- It is critical to provide students with an honest and accurate assessment of history, including respectful and developmentally appropriate discussions about topics such as privilege, racism, bias,
and systemic racism, so that they can better understand the world and are empowered create a better future.

- Discussions about equity and social justice are not meant to imply that any person is consciously racist. Nor are they meant to divide students, teach them to hate each other, or to make students feel shame about their races, communities, or country. Rather, these dialogues foster critical thinking and provide a framework to understand how existing systems, structures, and policies can cause inequitable outcomes.

- Social–emotional learning (SEL) is foundational to student success in and out of school. SEL facilitates healthy identity development and teaches students how to effectively identify and manage their emotions, set and achieve personal and collective goals, solve problems, effectively address interpersonal conflict, develop and demonstrate empathy for others, develop and maintain healthy relationships, and make responsible decisions.

- Including positive representation of LGBTQ+ persons in curricula and respecting and acknowledging students’ gender identity or sexual orientation prevents suicide and other devastating outcomes for LGBTQ+ youth.

- There is no evidence that conversations about all identities of youth will predispose a child to adopt an identity or orientation other than their own.

**Tips for Addressing Misinformation**

- Call out the origin of these policies and bills. In the vast majority of circumstances, these bills are coming from organized political groups. See [this model legislation](#) from ALEC.

- Acknowledge which parents’ voices these bills are elevating, centering, and prioritizing.

- Accept that you may not be able to change an individual’s mind, but you can counter their false narratives with objective and high-quality data and facts. This is important to clarifying the issues for individuals who have not yet formed opinions.

**Strategies for Dealing With Staunchly Conservative Lawmakers**

- Keep the focus on children and share data about the harm to children.

- Talk about the cost savings for engaging in supportive and preventive care for youth.

- Talk about infringement upon local control and the need for local contextual information when addressing sensitive, culture-related concerns.

- Remind them that some policies could run afoul of federal antidiscrimination laws and result in lengthy and costly litigation.

**Adaptable Resources**

The following are generic resources that can be adapted for local use. You are strongly encouraged to incorporate any local information and relevant data.

- Letters to Legislators
  - [Sample Letter 1 (LGBTQ+ Focus)](#)
  - [CRT/SEL Action Alert](#)
Organizational Statements

- NASP Condemns State and Local Efforts to Undermine Transgender Youth Rights and Well-Being*
- NASP Supports Access to an Affirming School Environment and Uncensored Public Education*

*Use of NASP Guidance and Advocacy Documents by State Associations

NASP releases a variety of guidance and advocacy documents to promote policy and best practice related to children's well-being, mental health, and learning. These documents include press statements, guidance documents, policy recommendations, and letters to policy makers.

Distribution: State school psychology associations have permission to distribute these documents for noncommercial educational and advocacy purposes in their original form without any changes to content, trademarks, or other notice contained in the document. They may also link to them on their websites.

Adaptation: Additionally, state associations have permission to adapt these documents for more specific educational and advocacy purposes in their states with the following requirements.

- The integrity of adapted content must be maintained (i.e., it must reflect the intent conveyed in the original NASP document).
- NASP must be given proper credit, conveyed by inclusion of a statement such as, “Adapted with permission from NAME OF ORIGINAL DOCUMENT/COPYRIGHT DATE by the National Association of School Psychologists, LINK TO ORIGINAL DOCUMENT.”
- Any images, figures, or tables may not be included in the adapted document for copyright reasons.
- The NASP logo or other trademark must be removed.

No other use is permitted unless otherwise expressly permitted by NASP.

Note: The above permissions do not apply to official NASP policy documents, such as position papers, resolutions, standards, or published frameworks or briefs (e.g., the Framework for Safe and Successful Schools). These documents may not be adapted or altered in any way.

Questions: If you have questions about the status of a specific document, please contact NASP Director of Communications Kathy Cowan at kcowan@naspweb.org

State Association Letters and Resources

LGBTQ+ Policy

West Virginia School Psychologists Association Letter to Legislators
Focus: conversion therapy

Ohio School Psychologists Association Letter
Focus: gender-affirming care and requiring the ‘outing’ of students.

South Dakota Association of School Psychologists, Letter to Legislators and Letter to Governor
Focus: Anti-LGBTQ+ legislation

NASP Response to Florida HB1557 (“Don’t Say Gay Bill” response sent at the request of FASP)

Tips for Educators and Tips for Parents: Supporting LGBTQ+ Students in the Face of Discriminatory Legislation; joint resource from FASP and allies
Advocacy Toolkit Promoting Equity, Diversity, and Social–Emotional Learning

**CRT/SEL/Divisive Concepts/Equity Policy**
Ohio Association of School Psychologists
Letter to Legislators Focus: Banning of specific content and curricula

**Select NASP Resources**

- **NASP Policy Playbook**
- Key NASP Position Statements and Resolutions
  - Comprehensive and Inclusive Sexuality Education
  - Prejudice, Discrimination, and Racism
  - Safe and Supportive Schools for LGBTQ+ Youth
  - Safe Schools for Transgender and Gender-Diverse Students
  - Resolution Committing to Antiracist Action
- **Communiqué Article**: Demystifying Social Justice for School Psychology Practice
- **Social Justice Definitions**
- **The Importance of Addressing Equity, Diversity, and Inclusion in Schools: Dispelling Myths About Critical Race Theory**
- **School Psychology Forum** Special Issue: Encouraging Racial and Social Justice (Fall, 2016)

**External Resources and Data**

- **Critical Race Theory: Frequently Asked Questions**
  A resource from the NAACP Legal Defense Fund
- **Equity Messaging Guidance for Districts**
  A resource from the National Equity Project
- **Guide for Counter Narrating Attacks on Critical Race Theory**
  Resource from Race Forward
- **Organizing for Racial Justice in our Schools**
  A resource from the Culturally Responsive Education Hub
- **Speak up for SEL**
  A resource from the Collaborative for Academic, Social, and Emotional Learning (CASEL)
- **Supporting Trans Youth**
  Messaging tips and considerations for professionals. Compiled by V. Jo Hsu, Assistant Professor of Rhetoric and Writing, University of Texas at Austin

Please cite this document as: